

*Division of Capital Asset Management Designer Evaluation Forms*

The Designer Evaluation forms are required by Section 13 of Chapter 159 of the Acts of 2000 which amends Section 38E of Chapter 7. As of November 1, 2000, all DCAM Project Managers (as well as all Public Agencies using State funding) must complete the Standard Designer Evaluation Form.

- The Standard Designer Evaluation form has been established for use by DCAM as a Microsoft Access Database. It is linked to the MMARS system and will allow reference only to established projects and contracted Designers.
- Public Agencies other than DCAM who are required to submit the Evaluation forms will submit them by mail to the Designer Selection Board and to DCAM. Designer Evaluations submitted by Public Agencies will not be a part of the DCAM database, but they will be available for reference by DCAM project managers only from either the Office of Programming or the Designer Selection Board.
- The DCAM Designer Evaluation procedures are outlined below. These procedures exceed the requirements of the legislation, but are required by DCAM policy to ensure good communications with the Designers throughout the life of the project.

**Procedures:**

1. At the completion of the project stages of **Study Program Submission(S3), Study Completion (S10), Schematic Design (B1), Design Development (B4), Construction Documents (C9), 60% of Construction (D60) and Construction Substantial Completion (E-1)**, the Project Manager (PM) will set up the Designer Evaluation form in the Microsoft Access Database. A section of the central, or project file must be designated for the hard copy of the Designer Evaluation form. At the initiation of a project, all project managers should provide a copy of the evaluation forms to Designers (they will be incorporated into Form 9) and note that they will be evaluated according to the categories noted on the forms. Design/Build projects will not require a Designer Evaluation as the Division does not hold a contract with the Designer for these projects. Designer Evaluations must be completed for all projects that are currently contracted, but not yet completed. At the next relevant milestone of the project (as noted above) PM's must complete the Designer Evaluation form.
2. The PM is responsible for completing and signing the evaluation forms and obtaining input from all relevant parties and reviewers at the completion of each stage. Any member of DCAM staff who worked directly with the designers should be consulted to ensure that the evaluation is reflective of their performance on all aspects of the project. The evaluation should be independent and fair, based only on the specific project for which the evaluation is being completed. Each form must be reviewed and initialed by the appropriate supervisor: Deputy Director of Construction Services as well as the Deputy Commissioner; or the Director of Programming (depending on the stage). Any changes to the evaluation must be recorded in the database so that the signed hard copy maintained in the file is the same as that in the database.
3. Each Evaluation at the various stages must be completed by the PM, reviewed and signed by the appropriate supervisor as noted above, and then transmitted to the Designer within 2 weeks of the completion of that stage of the project.
4. The Designer will have the opportunity to submit a written response to DCAM and to the Designer Selection Board disputing any information contained in the form and setting forth any additional information concerning the building project or the oversight of the building construction contract by

the DCAM as may be relevant to the evaluation of the designer's performance on the contract. Any such letter must be attached to the evaluation form for inclusion in the designer's file. The Database will indicate that a Designer's reply has been received, but a copy of the reply will be stored only as hard copy in the Designer's file at DCAM and with the Designer Selection Board.

5. The completed Evaluation forms **from the Final stage of the Project** and any **Designer's reply** must be maintained as hard copy in the project file and forwarded by the PM to the Designer Selection Board for inclusion in the Designer's Qualification File. The Final stages are defined as follows:  
For Study: **Study Final Completion (S10)**  
For Design: **Construction Documents (C9)**  
For Construction Administration: **Construction Substantial Completion (E1)**
6. The information in the Designer's Qualification File including the completed evaluation forms will be made available to Public Agencies, only upon request to the Designer Selection Board or to the Division of Capital Asset Management. Access to the final and interim evaluations within the DCAM database will be available for viewing only by DCAM project Managers.
7. The Evaluation information contained in the Designer's Qualification File will be provided to the Designer Selection Board through a standard format (in the application Matrix completed by DCAM project managers) for each application process. Applicants should not reference their Evaluations in their application.
8. Please note that the new legislation provides special coverage for State employees in the event that a Designer files suit against an employee who completed an Evaluation form. The public employee is ensured of legal representation by the Commonwealth, if sued, and the State will indemnify the employee from all personal financial losses and expenses including, but not limited to, legal fees and filing costs, if any, in an amount not to exceed \$1,000,000. If the employee is found to have acted in a "willful, wanton or reckless manner", by the courts, the State will still cover legal fees and filing costs, but not damages.
9. The new legal coverage, together with the approach of completing evaluations at several stages of the project, are intended to ensure honest and constructive feedback in the evaluation forms. PM's are encouraged to discuss any concerns about the Evaluation Forms with the Deputy Director or Director.

**Instructions for Completion of Consultant Evaluation Form****Purpose**

The purpose of this form is to fulfill the mandate of the law (Section 13 of chapter 159 of the Acts of 2000 which amends Section 38E of chapter 7) which requires this agency to evaluate the performance of Designers and to facilitate communication between the agency and our consultants on an on-going basis.

**Responsibility**

The evaluation is intended to be objective, independent and fair. Responsibility for completing the evaluation forms rests with the Project Manager (PM), as does the obligation to obtain input from relevant project participants including, but not limited to, Client Agency Representatives, Energy Team Specialists, Project Engineers and Users. Refer to the **Procedures** outlined above for full details.

**Process**

At the completion of the appropriate project milestone, the PM will set up the Consultant Evaluation form in the Microsoft Access Database. Evaluation Forms are to be completed at several stages of the Design and Construction Process with the intention of providing the consultant with opportunities for corrective action to be taken prior to the completion of the project. The Consultant Evaluation Form must be completed by the PM and reviewed by the Deputy Director and Deputy Commissioner, within two weeks of the official completion date of each of the following project phases:

1. 60% of Construction Completion (D60),
2. Project Substantial Completion (E-1)

**Rating/Scoring**

The rating for each category should be based on overall performance, but specific issues and problems can be noted through remarks annotated at the relevant category. The more detailed and constructive criticism, the more opportunity for the Consultant to respond and improve. Ratings should be entered in whole numbers (integers 1, 2, 3 or 4) only. The score will be calculated by the database form, automatically, and the weighting is based on the relative importance of the various responsibilities. A score of 1 indicates dissatisfactory performance and must be accompanied by detailed description of areas in need of improvement.

Indicate the project phase that has just been completed, note that Design utilizes a different form. All questions have relevance to each of the construction phases of a project. Where a specific bulleted question does not apply, consider the overall numbered question.

**Question #1** This question documents the Designer's ability to administer the construction contract through timely and thorough review of the Contractor's work. It also is a place to comment on their capability in terms of documentation of the review and adequate back-up to support their approvals and disapprovals. The quality and thoroughness of punch lists and their ability to lead the project meetings at the site should be commented on here.

**Question #2** The Designer has the responsibility to provide oversight for all of the sub-consultants and to manage the Design Team through the execution of the construction. Evaluate the Designer's competence in team leadership and their attention to details of the sub-consultants work as well as their own. The role of coordination continues through construction and is particularly time sensitive at this stage. Was the Designer available and responsive to the need to bring the Design Team together to resolve construction issues? If there was a problem with the performance of a subconsultant, it is ultimately the Designer's responsibility to resolve the issues – this is the section in which to document that situation. As a means to tracking dissatisfactory sub-contractor performance, be sure to indicate the name of any relevant subcontractor and describe the nature of the problems.

**Question #3** Without regard to the reason for a change order (this is addressed in question #5) was the Designer thorough and prompt in providing requests for changes and documenting the reasons for the change? Did the Designer work to establish a cooperative relationship with the Contractor in order to facilitate negotiation and execution of needed changes?

**Question #4** When problems arose during construction, was the Designer prompt, responsive and creative in providing solutions? Did the Designer provide adequate attention to the problems in order to facilitate prompt resolution?

**Question #5** This question should address the quality of the Designer's construction documents as experienced through the progress of construction. Regardless of the GC or subcontractor's competencies, were the documents proven to be complete, easily read and utilized throughout the construction. This is an opportunity to document any areas where the PM feels that the Designer could have provided more detail or should have carried out more research during design. The quality of the documents should be reflected in the number of change orders - if change orders were high for some reason beyond the Designer's control, they should not be penalized. Errors and omissions requiring change orders or creating other problems should be documented here.

**Question #6** This question evaluates the Designer's ability to maintain adequate and thorough communications with the PM and User Agency representatives throughout the construction process. Were the communications clear and timely? DCAM is increasingly requiring electronic documentation and utilizing the Internet and email for communications. Did the Designer have the technical capabilities to meet the requested/required electronic documentation and communication throughout the project?

**Question #7** The Resident Engineer (RE) plays a very critical role in ensuring the construction is overseen and all issues are documented and promptly addressed. The ability of the RE to fulfill this role is highly dependent on the support and commitment of the Designer to working with the RE. This question should document that relationship and objectively evaluate the role of the Designer in supporting the RE in the field.

The total rating will be automatically tallied by the database form. PM's are encouraged to add remarks to elaborate on the ratings to provide additional feedback to the consultants.

**DCAM Designer Performance Evaluation Form****Construction Phase**

Design Consultant: \_\_\_\_\_ Date Completed: \_\_\_\_\_

Project Title: \_\_\_\_\_

Contract #: \_\_\_\_\_ User Agency: \_\_\_\_\_ G.C. \_\_\_\_\_

Project Manager: \_\_\_\_\_

Deputy Director (OCS): \_\_\_\_\_ Date: \_\_\_\_\_

Deputy Commissioner: \_\_\_\_\_ Date: \_\_\_\_\_

Phase: \_\_\_\_\_

Performance Rating Scale:

1	2	3	4
Unsatisfactory	Fair	Good	Excellent

**1. Contract administration.**

- Did the Designer provide adequate support during the Bid and Award process?
- Did the Designer attend and adequately lead all of the job meetings?
- Did the Designer completely review the requisitions (checking the math, %completion)?
- Did the Designer facilitate project closeout/develop adequate punchlists?
- Did the Designer review the shop drawings/submittals thoroughly and in a timely manner (within 7-14 days)?

_____	X.20=	_____
Rating		Score

Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**2. Management of Consultants - Coordination.**

- Did the Designer request and coordinate site observations by the sub-consultants at the appropriate times?
- Did the Designer review and analyze the sub-consultant's shop drawings/submittals and oversee timely review in an accurate manner?
- Did the Designer respond in a timely manner to requests for information from Contractor?

_____	X.20=	_____
Rating		Score

Comments: \_\_\_\_\_

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\_\_\_\_\_

**3. Evaluation and negotiation of change orders.**

- Did the Designer prepare proposal requests which clearly defined the scope changes?
- Did the Designer assess the reasonableness of cost and time of the contractor's proposals?
- Did the Designer provide a thorough analysis and explanation of the reason for the change order?

_____	X.10=	_____
Rating		Score

Comments: \_\_\_\_\_

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**4. Problem Resolution.**

- Did the Designer provide solutions that were creative and appropriate and in a timely manner?
- Did the Designer suggest solutions that were cost effective?

_____	X.05=	_____
Rating		Score

Comments: \_\_\_\_\_

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## 5. Quality of Contract Documents.

- Were the consultants' drawings coordinated with the Designer's?
- Were the code requirements met and well documented?
- Were there a limited number of change orders as a result of the construction documents?
- Was the information systematic, logical, easily read and interpreted by the G.C. and Res. Engineer?
- Were the contract documents complete and clear with a limited number of requests for clarifications?
- Did the Designer demonstrate knowledge of and compliance with Chapter 149 requirements?

	X.40=	
Rating		Score

Comments: \_\_\_\_\_

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## 6. Communication Skills.

- Was the Designer's written communication effective and informative?
- Was the Designer's technical capability in terms of electronic technology and information Management adequate for the needs of the project?
- Did the Designer keep Capital Asset Management and the User Agency informed of construction progress?
- Did the Designer effectively communicate (negotiate when necessary) with local officials and the contractor?

	X.10=	
Rating		Score

Comments: \_\_\_\_\_

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\_\_\_\_\_

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## 7. Support of the Resident Engineer.

- Did the Designer provide direction to the R.E. and work cooperatively with them to oversee the construction?
- Did the Designer give the R.E. adequate resources and information to perform their job (plans, specs, other relevant communications)?
- Did the Designer provide the R.E. with technical resources as needed to perform their work?

	X.05=	
Rating		Score

Comments: \_\_\_\_\_

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Total Rating

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Total Score

Overall Comments: \_\_\_\_\_

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